

RONALD L. RICHMAN (SBN 139189)  
BULLIVANT HOUSER BAILEY PC  
101 Montgomery Street, Suite 2600  
San Francisco, CA 94104-4146  
Telephone: 415.352.2700  
Facsimile: 415.352.2701  
E-mail: ron.richman@bullivant.com

Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION

BOARD OF TRUSTEES OF THE  
LABORERS HEALTH AND WELFARE  
TRUST FUND FOR NORTHERN  
CALIFORNIA; BOARD OF TRUSTEES OF  
THE LABORERS VACATION-HOLIDAY  
TRUST FUND FOR NORTHERN  
CALIFORNIA; BOARD OF TRUSTEES OF  
THE LABORERS PENSION TRUST FUND  
FOR NORTHERN CALIFORNIA; and  
BOARD OF TRUSTEES OF THE  
LABORERS TRAINING AND RETRAINING  
TRUST FUND FOR NORTHERN  
CALIFORNIA,

Plaintiffs,

vs.

E&F DEMOLITION, INC., a California  
corporation,

Defendant.

Case No.: 4:21-CV-07952-PJH

**REQUEST FOR DISMISSAL OF  
ACTION, IN ITS ENTIRETY, WITHOUT  
PREJUDICE**

1 Plaintiffs hereby dismiss this action, in its entirety, without prejudice.

2 DATED: January 12, 2022

3 BULLIVANT HOUSER BAILEY PC

4  
5 By /s/ Ronald L. Richman  
6 Ronald L. Richman

7 Attorneys for Plaintiffs

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**PROOF OF SERVICE**

***Board of Trustees of the Laborers Health and Welfare Trust Fund for  
Northern California, et al. v. E&F Demolition, Inc.***  
**U.S.D.C. (N.D. Cal.) No. 4:21-cv-07952-PJH**

I am employed in the City and County of San Francisco by the law firm of Bullivant Houser Bailey ("the business"), 101 Montgomery Street, Suite 2600, San Francisco, CA 94104. I am over the age of eighteen (18) and not a party to this action. On January 12, 2022, I served the document entitled:

**REQUEST FOR DISMISSAL OF ACTION, IN ITS ENTIRETY,  
WITHOUT PREJUDICE**

upon the following parties:

<p>ELADIO PEREZ  Agent for Service of Process for  E&amp;F Demolition, Inc.  760 – 98<sup>th</sup> Avenue  Oakland, CA 94603-2200</p>
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- (x) **BY MAIL (CCP §1013(a)):** I am readily familiar with the ordinary practice of the business with respect to the collection and processing of correspondence for mailing with the United States Postal Service. I placed a true and correct copy of the above-titled document in an envelope addressed as above, with first class postage thereon fully prepaid. I sealed the aforesaid envelope and placed it for collection and mailing by the United States Postal Service in accordance with the ordinary practice of the business. Correspondence so placed is ordinarily deposited by the business with the United States Postal Service on the same day.
- ( ) **BY EMAIL OR ELECTRONIC TRANSFER:** I caused a copy of the document to be sent from e-mail address roberta.beach@bullivant.com to the persons at the e-mail addressed listed in the service list. I did not, within a reasonable time after the transmission, receive any electronic message or other indication that the transmission was unsuccessful.
- ( ) **BY FACSIMILE TRANSMISSION (CCP §1013(e), CRC 2.306):** I transmitted the document by facsimile transmission by placing it in a facsimile machine (telephone number 415-352-2701) and transmitting it to the facsimile machine telephone number listed above. A transmission report was properly issued by the transmitting facsimile machine. The transmission was reported as complete and without error. A true and correct copy of the transmission report is attached hereto.
- ( ) **BY OVERNIGHT DELIVERY (CCP §1013(c)):** I am readily familiar with the ordinary practice of the business with respect to the collection and processing of correspondence for mailing by Express Mail and other carriers providing for overnight delivery. I placed a true and correct copy of the above-titled document in an envelope addressed as above, with first class postage thereon fully prepaid. I sealed the aforesaid envelope and placed it for collection and mailing by Express Mail or other carrier for overnight delivery in accordance with the ordinary practice of the business. Correspondence so placed is ordinarily deposited by the business with Express Mail or other carrier on the same day.

- 1 (**BY PERSONAL SERVICE UPON AN ATTORNEY (CCP §1011(a))**): I placed a true  
2 and correct copy of the above-titled document in a sealed envelope addressed as indicated  
3 above. I delivered said envelopes by hand to a receptionist or a person authorized to accept  
4 same at the address on the envelope, or, if no person was present, by leaving the envelope  
5 in a conspicuous place in the office between the hours of nine in the morning and five in  
6 the afternoon.
- 7 (**BY MESSENGER SERVICE**): I placed a true and correct copy of the above-entitled  
8 document in a sealed envelope addressed as indicated above and provided it to a  
9 professional messenger service for delivery during normal business hours on this date.
- 10 (**BY PERSONAL SERVICE UPON A PARTY (CCP §1011(b))**): I placed a true and  
11 correct copy of the above-titled document in a sealed envelope addressed as indicated  
12 above. I delivered each envelope by hand to a person of not less than eighteen (18) years  
13 of age at the address listed on the envelope, between the hours of eight in the morning and  
14 six in the evening.

15 I declare under penalty of perjury, under the laws of the State of California, that the  
16 foregoing is true and correct.

17 Executed on January 12, 2022, at San Francisco, California.

18   
19 \_\_\_\_\_  
20 ROBERTA C. BEACH

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